

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Jeffrey M Leiden

Serial No.: 10/615,518

Filed: July 8, 2003

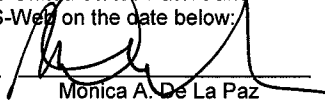
For: LONG TERM EXPRESSION OF GENE
PRODUCTS

Confirmation No.: 5333

Group Art Unit: 1632

Examiner: Falk, Anne Marie

Atty. Dkt. No.: ARCD:480US3

<p align="center">CERTIFICATE OF ELECTRONIC TRANSMISSION 37 C.F.R. § 1.8</p> <p>I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web on the date below:</p> <p>January 13, 2009 Date</p> <p> Monica A. De La Paz</p>
--

**I. AMENDMENT; AND II. RESPONSE TO NOTICE OF NON-COMPLIANT
AMENDMENT DATED SEPTEMBER 4, 2008**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §1.111, Applicant herein submits this Amendment in response to the Notice of Non-Compliant Amendment dated December 29, 2008. Applicants previously submitted an Amendment and response to the Office Action dated February 5, 2008. According to the Notice of Non-Compliant Amendment, the status identifier of claim 40 was identified as "previously presented" instead of "withdrawn." Applicants have made the correction in the amendment set forth herein. It is believed that no fee is required for filing of this response to the Notice of Non-Compliant Amendment. The Commissioner is hereby

authorized to deduct any fees under 37 C.F.R. §§ 1.16 to 1.21 that have been inadvertently omitted from Fulbright & Jaworski Deposit Account No. 50-1212/ARCD:480US3/10813258.

Amendment to the Claims begins on page 3 of this paper.

Remarks begin on page 8 of this paper.